

**TARA ANN ST. ANGELO, Esq.**  
**ATTORNEY ID #020292008**  
**GEBHARDT & KIEFER, P.C.**  
1318 Route 31 ~ P.O. Box 4001  
Clinton, New Jersey 08809-4001  
Tel. (908) 735-5161  
Attorneys for Petitioner, Township Knowlton

IN THE MATTER OF THE  
APPLICATION OF THE TOWNSHIP OF  
KNOWLTON, A Municipal Corporation of  
the State of New Jersey,

Petitioner.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
WARREN COUNTY  
DOCKET NO.

CIVIL ACTION  
(Mount Laurel)

**COMPLAINT FOR DECLARATORY  
JUDGMENT PURSUANT TO  
N.J.S.A. 52:27D-313**

The Township of Knowlton, a Municipal Corporation of the State of New Jersey, having its principal place of business at 628 Rt. 94, Columbia, NJ 07832, by way of Complaint for Declaratory Judgment pursuant to N.J.S.A. 52:27D-313 and N.J.S.A. 2A:16-50 et seq. says:

**BACKGROUND**

1. Petitioner Township of Knowlton (hereinafter “Petitioner” and/or “Knowlton” and/or “Township”) is a body politic and corporate organized under the laws of the State of New Jersey.

2. On March 20, 2024, the New Jersey Legislature adopted P.L. 2024, c. 2, which amended the Fair Housing Act (FHA) (N.J.S.A. 52:27D-302 et seq.), abolished the Council of Affordable Housing (“COAH”), promulgated procedures and guidelines implementing the Affordable Housing Alternate Dispute Resolution Program (the “Program”), and created a new process for municipalities to come into constitutional compliance with their affordable housing obligations.

3. Knowlton is located in Warren County in Region 2 pursuant to the N.J.S.A. 52:27D-304.2.

4. Knowlton has made a good faith effort to meet its first, second, and third round affordable housing obligations.

5. Pursuant to first and second round obligations, Knowlton Township has provided for affordable housing through a four-unit affordable housing complex and a 6-bedroom supportive housing complex.

6. Pursuant to its third round obligations, Knowlton proposed 3 accessory apartment units and an inclusionary zoning overlay.

7. Pursuant to N.J.S.A. 52:27D-304.1(d), the Department of Community Affairs (the “DCA”) is responsible for providing a report setting forth non-binding calculations of regional and municipal affordable housing need for the Fourth Round based on the provisions of N.J.S.A. 52:27D-304.2 and -304.3.

8. Pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), participating municipalities must adopt and file resolutions calculating their housing obligations for the Fourth Round by January 31, 2025.

9. P.L. 2024, c. 2 established the Program within the New Jersey Judiciary for the purpose of resolving disputes associated with municipal affordable housing obligations and compliance. In furtherance of that end, the Administrative Director of the Courts issued Directive #14-24 on December 13, 2024 directing municipalities to file declaratory judgment actions seeking certification of municipal compliance with the FHA within 48 hours of adoption of a resolution establishing the municipality’s fair share obligation.

10. On or about October 18, 2024, DCA issued a report entitled “Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background.” (the “DCA Report”).

11. Pursuant to the DCA Report, the Fourth Round affordable housing obligations calculated for Knowlton are as follows:

Present Need: 4

Prospective Need: 32

12. On January 27, 2025, Knowlton adopted a Resolution accepting the obligations in the DCA Report as its affordable housing obligations for the Fourth Round. A copy such resolution is attached hereto as Exhibit A.

13. Knowlton desires that the Court review and accept the municipal fair share obligation of Knowlton Township as set forth in the Resolution attached hereto as Exhibit A.

14. In compliance with P.L. 2024, c. 2, Knowlton shall draft and file a Housing Element and Fair Share Plan demonstrating compliance with the Fourth Round affordable housing obligations.

15. After such filing, Knowlton desires that the Court review and accept its Housing Element and Fair Share Plan and approve the Program’s issuance of a Certificate of Compliance.

### **COUNT ONE**

#### **(DECLARATORY RELIEF, CONSTITUTIONAL COMPLIANCE)**

16. Knowlton repeats and realleges each and every allegation set forth in Paragraphs 1-15 of this Complaint as if set forth herein at length.

17. Pursuant to the Declaratory Judgments Act, N.J.S.A. 2A:16-50 et seq., N.J.S.A. 52:27D-313, and P.L. 2024, c. 2, Knowlton has a right to a declaratory judgment verifying and

confirming Knowlton's full compliance with its constitutional affordable housing obligations

**WHEREFORE**, Petitioner, the Township of Knowlton, respectfully seeks that the Court grant the following relief:

- a. An Order exercising jurisdiction over the compliance by the Township of Knowlton with its constitutional affordable housing obligations; and
- b. An Order declaring, pursuant to N.J.S.A. 52:27D-304.1(f), that the affordable housing obligations set forth by Knowlton Township in the Resolution dated January 27, 2025 are established; and
- c. An Order declaring that the Township of Knowlton is under the Court's voluntary compliance declaratory judgment jurisdiction and that the Township is immunized and protected against builder's remedy litigation and exclusionary zoning challenges; and
- d. An Order declaring that the Township of Knowlton's Housing Element and Fair Share Plan, including its spending plan, satisfactorily addresses its affordable housing mandates and provides the Township with immunity and repose against builder's remedy litigation and exclusionary zoning challenges for a period of ten (10) years from the date of the Final Judgment.
- e. A Judgment of Compliance and Repose for a period of ten (10) years from its date of entry.
- f. An Order granting such additional relief as the Court deems equitable and just.

GEBHARDT & KIEFER, P.C.  
*Attorneys for Petitioner, Township of Knowlton*

By /s/ Tara Ann St. Angelo  
TARA ANN ST. ANGELO

Dated: January 28, 2025

**DESIGNATION OF TRIAL COUNSEL**

Pursuant to Rule 4:25-4, Tara Ann St. Angelo, Esq. is hereby designated as Trial  
Counsel for Petitioner Township of Knowlton

GEBHARDT & KIEFER, P.C.  
*Attorneys for Petitioner, Township of Knowlton*

By: /s/ Tara Ann St. Angelo  
TARA ANN ST. ANGELO

Dated: January 28, 2025

**CERTIFICATION**

Pursuant to Rule 4:5-1, it is hereby certified that the matter in controversy is not the subject of any other action pending in any other Court or of a pending arbitration or administrative proceeding to the best of knowledge and belief. Knowlton Township filed a declaratory judgment action related to its Third Round affordable housing obligations (*IMO Knowlton Township*, Docket No. WRN-L-215-15). Such action remains pending. To the best of our knowledge, no other action, arbitration or administrative proceeding is contemplated. Furthermore, we know of no other parties that should be joined in the above action.

GEBHARDT & KIEFER, P.C.  
*Attorneys for Petitioner, Township of Knowlton*

By: /s/ Tara Ann St. Angelo  
TARA ANN ST. ANGELO

Dated: January 28, 2025

**KNOWLTON TOWNSHIP  
WARREN COUNTY, NEW JERSEY**

**RESOLUTION 2025-22**

**RESOLUTION ADOPTING FAIR SHARE AFFORDABLE HOUSING OBLIGATIONS  
FOR THE FOURTH ROUND**

**WHEREAS**, the New Jersey Supreme Court, through its rulings in Southern Burlington County NAACP v. Mount Laurel, 67 13 N.J. 151 (1975) and Southern Burlington County NAACP 14 v. Mount Laurel, 92 N.J. 158 (1983), has determined that every municipality in New Jersey has a constitutional obligation to provide through its land use regulations a realistic opportunity for its fair share of its region's present and prospective needs for housing for low- and moderate-income families; and

**WHEREAS**, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law, establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et al.); and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality must adopt a binding resolution no later than January 31, 2025 determining its present and prospective fair share obligation for the Fourth Round; and

**WHEREAS**, pursuant to Administrative Directive #14-24 issued by the Administrative Office of the Courts on December 13, 2024, "[a] municipality seeking a certification of compliance with the [Fair Housing Act] shall file an action in the form of a declaratory judgment complaint and Civil Case Information Statement (Civil CIS) in the county in which the municipality is located" within 48 hours of adopting the municipal resolution of fair share obligations; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(d), the New Jersey Department of Community Affairs issued "a report on the calculations of regional need and municipal obligations for each region of the State" on or about October 18, 2024 (the "DCA Report"); and

**WHEREAS**, the DCA Report set the municipal obligation for Knowlton Township as follows:

Present Need: 4  
Prospective Need: 32

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(a), a municipality may determine its present and prospective fair share obligation for affordable housing consistent with the established methodologies; and

**WHEREAS**, the Township accepts the conclusions set forth in the DCA Report; and

**WHEREAS**, the Township's calculation of need is entitled to a "presumption of validity"

because it complies with Sections 6 and 7 of P.L. 2024, c. 2; and

**WHEREAS**, the Township specifically reserves its rights to:

- a. Adjust the Township's fair share obligations based on a Vacant Land Adjustment, a lack of public water or sewer infrastructure (i.e. a Durational Adjustment), a survey pertaining to present need pursuant to N.J.A.C. 5:93-5.2(a) and N.J.A.C. 5:93-Appendix C), and / or all other applicable adjustments, permitted in accordance with applicable statute, regulations or law;
- b. Revoke or amend this Resolution and the Township's Fourth Round Affordable Housing Obligations to account for decisions of a court of competent jurisdiction or a change in applicable legislation; and
- c. The right to take any contrary position, or adjust its Fourth Round Affordable Housing Obligations, in the event of a third party challenge to the Township's Fourth Round Affordable Housing Obligations.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Knowlton, Warren County, New Jersey, as follows:

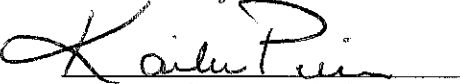
1. Knowlton Township hereby determines, based on the DCA Report and advice of the Municipal Planner and Attorney, to adopt the obligations set forth in the DCA Report as its binding Fourth Round Affordable Housing Obligations:
2. The adoption of this Resolution and the aforementioned Fourth Round Affordable Housing Obligations is subject to all reservations of rights, which specifically include, without limitation, the following:
  - a. The right to adjust the Township's fair share obligations based on a Vacant Land Adjustment, a lack of public water or sewer infrastructure (i.e. a Durational Adjustment), a survey pertaining to present need pursuant to N.J.A.C. 5:93-5.2(a) and N.J.A.C. 5:93-Appendix C), and / or all other applicable adjustments, permitted in accordance with applicable statute, regulations or law with such adjustments to be adopted as part of the municipality's Fourth Round Housing Element and Fair Share Plan.;
  - b. The right to revoke or amend this Resolution and the Township's Fourth Round Affordable Housing Obligations to account for decisions of a court of competent jurisdiction or a change in applicable legislation; and
  - c. The right to take any contrary position, or adjust its Fourth Round Affordable Housing Obligations, in the event of a third party challenge to the Township's Fourth Round Affordable Housing Obligations.
3. The Municipal Clerk and Municipal Attorney are authorized to take all actions required by




N.J.S.A. 52:27D-304.1(f)(1)(b), including:

- d. Filing a Declaratory Judgment Complaint, along with this Resolution and a Case Information Statement, in the appropriate venue with the Program or any other such entity as may be determined to be appropriate, to initiate an action within 48 hours of the adoption of this Resolution pursuant to the requirements of P.L.2024, c.2, and AOC Directive #14-24
  - e. Publishing this Resolution on the Township's website.
4. The Municipal Attorney, Municipal Planner, and Planning Board are authorized to take all actions to draft documents necessary to comply with all Fourth Round affordable housing obligations, including drafting a Housing Element and Fair Share Plan, an Affordable Housing Trust Fund Spending Plan, and effectuating ordinances and resolutions.
  5. This Resolution shall take effect immediately.

*I hereby certify the foregoing to be a true copy of a Resolution adopted by the Mayor and Committee of Knowlton Township at a meeting held on January 27, 2025.*

  
Kailene Pierson, Clerk

  
Frank Van Horn, Mayor

Date: January 28, 2025

Motion: Mazza

Second: Bates

Roll Call: Baley-yes, Bates-yes, Mazza-yes, Shipps-absent, Van Horn-yes



# Civil Case Information Statement

## Case Details: WARREN | Civil Part Docket# L-000052-25

**Case Caption:** IN THE MATTER OF KNOWLTON TWP

**Case Initiation Date:** 01/28/2025

**Attorney Name:** TARA ANN ST ANGELO

**Firm Name:** GEBHARDT & KIEFER, PC

**Address:** 1318 ROUTE 31 NORTH

ANNANDALE NJ 08801

**Phone:** 9087355161

**Name of Party:** PETITIONER : IMO Knowlton Township

**Name of Defendant's Primary Insurance Company**

(if known): None

**Case Type:** AFFORDABLE HOUSING

**Document Type:** Complaint

**Jury Demand:** NONE

**Is this a professional malpractice case?** NO

**Related cases pending:** NO

**If yes, list docket numbers:**

**Do you anticipate adding any parties (arising out of same transaction or occurrence)?** NO

**Does this case involve claims related to COVID-19?** NO

**Are sexual abuse claims alleged by:** IMO Knowlton Township? NO

## THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

**Do parties have a current, past, or recurrent relationship?** NO

**If yes, is that relationship:**

**Does the statute governing this case provide for payment of fees by the losing party?** NO

**Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:**

**Do you or your client need any disability accommodations?** NO

**If yes, please identify the requested accommodation:**

**Will an interpreter be needed?** NO

**If yes, for what language:**

**Please check off each applicable category:** Putative Class Action? NO Title 59? NO Consumer Fraud? NO Medical Debt Claim? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule* 1:38-7(b)

01/28/2025

Dated

/s/ TARA ANN ST ANGELO

Signed

